

Proposal # 2001-C-206 (Office Use Only)**PSP Cover Sheet** (Attach to the front of each proposal)

Proposal Title: Murphy Creek Watershed Protection and Restoration FEasibility Plan
Applicant Name: American Land Conservancy
Contact Name: Harriet Burgess
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Amount of funding requested: \$ 663,150

Some entities charge different costs dependent on the source of the funds. If it is different for state or federal funds list below.

State cost N/AFederal cost N/A**Cost share partners?**☒ Yes ☐ NoIdentify partners and amount contributed by each East Bay Municipal Utility District, Wildlands, Inc., and Murphy Creek Landowners**Indicate the Topic for which you are applying (check only one box).**

- | | |
|---|--|
| <input type="checkbox"/> Natural Flow Regimes | <input type="checkbox"/> Beyond the Riparian Corridor |
| <input type="checkbox"/> Nonnative Invasive Species | <input type="checkbox"/> Local Watershed Stewardship |
| <input checked="" type="checkbox"/> Channel Dynamics/Sediment Transport | <input type="checkbox"/> Environmental Education |
| <input type="checkbox"/> Flood Management | <input type="checkbox"/> Special Status Species Surveys and Studies |
| <input type="checkbox"/> Shallow Water Tidal/ Marsh Habitat | <input type="checkbox"/> Fishery Monitoring, Assessment and Research |
| <input type="checkbox"/> Contaminants | <input type="checkbox"/> Fish Screens |

What county or counties is the project located in? Amador and San JoaquinWhat CALFED ecozone is the project located in? See attached list and indicate number. Be as specific as possible Eastside Delta Tributaries**Indicate the type of applicant (check only one box):**

- | | |
|--|--|
| <input type="checkbox"/> State agency | <input type="checkbox"/> Federal agency |
| <input type="checkbox"/> Public/Non-profit joint venture | <input checked="" type="checkbox"/> Non-profit |
| <input type="checkbox"/> Local government/district | <input type="checkbox"/> Tribes |
| <input type="checkbox"/> University | <input type="checkbox"/> Private party |
| <input type="checkbox"/> Other: _____ | |

Indicate the primary species which the proposal addresses (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> San Joaquin and East-side Delta tributaries fall-run chinook salmon | <input type="checkbox"/> Spring-run chinook salmon |
| <input type="checkbox"/> Winter-run chinook salmon | <input checked="" type="checkbox"/> Fall-run chinook salmon |
| <input type="checkbox"/> Late-fall run chinook salmon | <input type="checkbox"/> Longfin smelt |
| <input type="checkbox"/> Delta smelt | <input checked="" type="checkbox"/> Steelhead trout |
| <input type="checkbox"/> Splittail | <input type="checkbox"/> Striped bass |
| <input type="checkbox"/> Green sturgeon | <input type="checkbox"/> All chinook species |
| <input type="checkbox"/> White Sturgeon | <input type="checkbox"/> All anadromous salmonids |
| <input type="checkbox"/> Waterfowl and Shorebirds | <input type="checkbox"/> American shad |
| <input type="checkbox"/> Migratory birds | |
| <input type="checkbox"/> Other listed T/E species: _____ | |

Indicate the type of project (check only one box):

- | | |
|--|---|
| <input type="checkbox"/> Research/Monitoring | <input type="checkbox"/> Watershed Planning |
| <input checked="" type="checkbox"/> Pilot/Demo Project | <input type="checkbox"/> Education |
| <input type="checkbox"/> Full-scale Implementation | |

Is this a next-phase of an ongoing project? Yes _____ No X
Have you received funding from CALFED before? Yes _____ No X

If yes, list project title and CALFED number N/A

Have you received funding from CVPIA before? Yes _____ No _____

If yes, list CVPIA program providing funding, project title and CVPIA number (if applicable):

By signing below, the applicant declares the following:

- The truthfulness of all representations in their proposal;
- The individual signing the form is entitled to submit the application on behalf of the applicant (if the applicant is an entity or organization); and
- The person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section 2.4) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.

Harriet Burgess

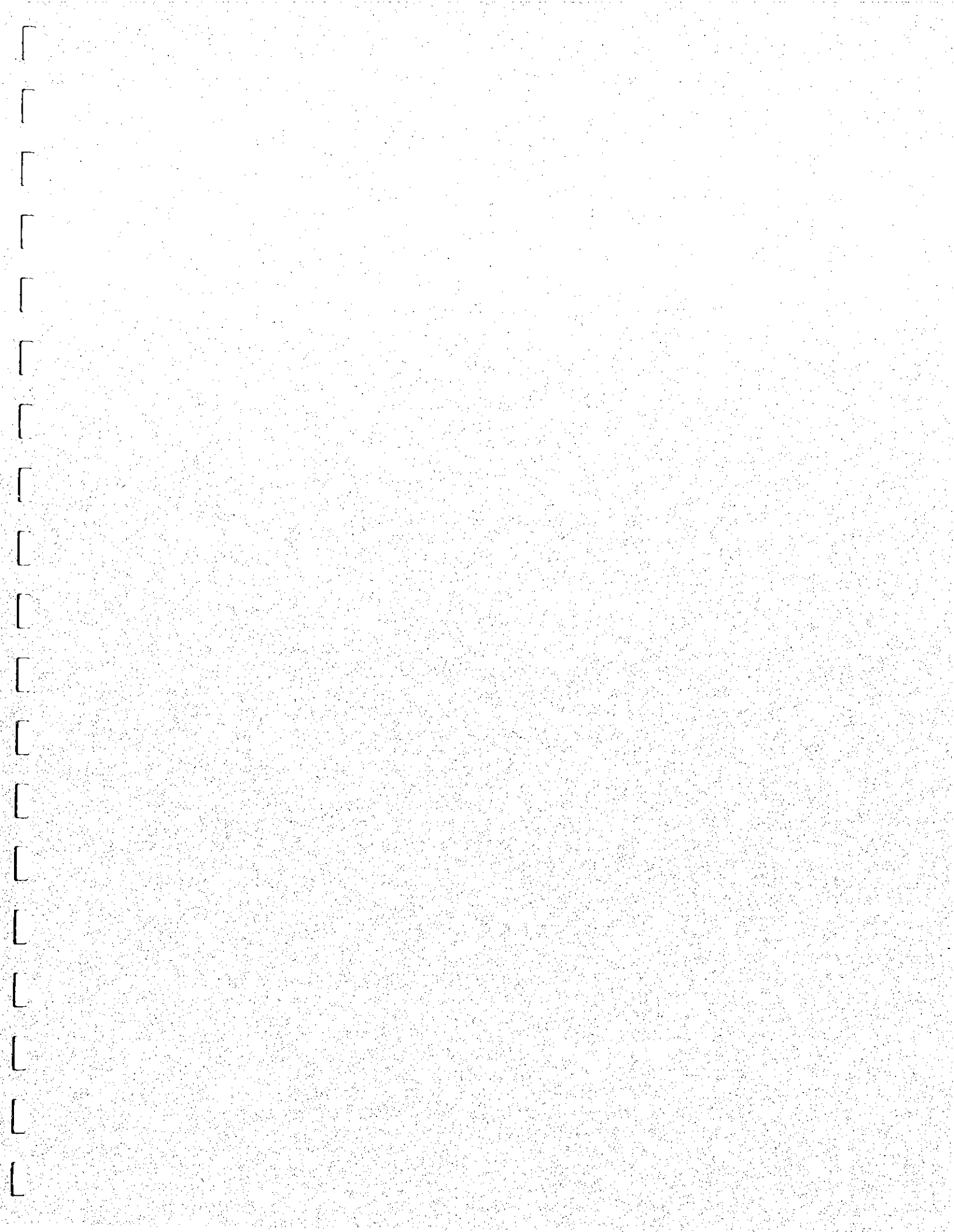
Printed name of applicant

Leslie Hunt King secretary of Board

[Signature] Vice President of Finance

Signature of applicant

Chris J. [Signature]



B. Executive Summary
Murphy Creek Watershed Protection and Restoration Feasibility Plan
Mokelumne River, Eastside Delta Tributaries, Amador/San Joaquin County

Submitted by:
American Land Conservancy
1388 Sutter Street, Suite 810
San Francisco, CA 94109
415 749-3010/415 749-3011/mail@alcnet.org:

Partners:
Murphy Creek Landowners, East Bay Municipal Utilities District, Wildlands, Inc

The American Land Conservancy requests \$663,150 for the development of a feasibility plan for the preservation, restoration and enhancement of the Murphy Creek Watershed. The Murphy Creek watershed is approximately 3,100 acres. This project is designed to develop an implementable restoration plan that would preserve lands within the watershed, restore in-stream salmonid spawning and rearing habitat and riparian corridor, provide additional gravel recruitment to the Mokelumne River, and develop alternative water supply to offset the loss of the current instream reservoirs.

Murphy Creek is a tributary of the Mokelumne River that borders Amador and San Joaquin Counties (Figure 1). It enters the Mokelumne River immediately below Camanche Dam in the Eastside Delta Tributaries Area of the CALFED Ecological Management Zone in the Bay-Delta watershed (Figure 2/3). The land uses within the watershed are predominately agriculture consisting mostly of cattle grazing and vineyards, with limited low-density rural housing.

The feasibility plan will:

- Confirm local landowner interest and commitments to conservation easements;
- Assess local land values and identify and secure funding for conservation easements on watershed properties;
- Develop an instream restoration design to remove 3 or more dams and restore approximately 24,200 linear feet of salmonid spawning habitat (Figure 4);
- Design a riparian corridor re-vegetation and fencing program to enhance streamside shading and reduce erosion and impacts from grazing; and
- Develop an environmentally sound, alternative water supply to support on-going agricultural activities.

The development of the Plan is designed to restore and enhance important salmonid and riparian habitat, while allowing the current landowners to be able to retain the agricultural values and land practices existing today. The development of this Plan will lead to the implementation of CALFED ERP goals of: 1) recovering at-risk species; 2) rehabilitating ecosystem processes; 3) enhancing harvestable species; and 4) restoring functioning habitats.

C. Project Description

The Murphy Creek watershed currently has barriers to fish passage and loss of riparian habitat due to adjacent agricultural needs. Murphy Creek currently has several reservoirs within the historic creek channels that block fish passage and potential spawning habitat, and gravel and sediment inputs into the lower Mokelumne River. The reservoirs are used to provide water supply for livestock and vineyard operations. Cattle grazing also occurs within the riparian corridor that reduces the amount of riparian vegetation and reduces water quality. In addition, the area is threatened by increasing urbanization and conversion to higher valued vineyards. These problems taken in total pose a threat to the ecological integrity of the Mokelumne watershed and the current agricultural values of the adjacent landowners.

a. Conceptual model

In order to preserve the existing open space and agricultural values and restore and enhance the ecological values of the Murphy Creek watershed, this project proposes to meet the following conceptual model objectives (Figure 5):

- Confirm local landowner interest and commitments to conservation easements;
- Assess local land values and identify and secure funding for conservation easements on watershed properties to protect the current agricultural land uses;
- Develop a restoration plan that would restore fish passage primarily for salmon and steelhead spawning and rearing habitat and enhance the riparian corridor for improved fisheries habitat, migratory bird use, and other wildlife species; and
- Restore a natural source of spawning gravels to the mainstream Mokelumne River;
- Develop and design a management program that would continue to provide water to the current land uses (grazing, grape growing) in an environmentally sound method (off-stream water troughs, groundwater pumping, etc.).

b. Hypotheses being tested

The primary hypotheses being tested by this Plan is whether historic salmonid spawning area can be restored through conservation easements, removal of barriers to fish and providing alternative water sources. The direct measures include removal of several instream reservoirs and re-vegetating riparian corridors to improve both fisheries and riparian habitat. The in-direct measures include fencing off the riparian corridor from grazing and providing alternative water supplies for existing agricultural activities to protect and enhance riparian and instream fisheries habitat.

The Plan will address the CALFED goals such as:

Goal 1 – “At-Risk Species”: The restoration plan would achieve recovery of at-risk species dependent on the watershed above the San Francisco Estuary by increasing fisheries habitat for endangered salmonids such as Chinook salmon and steelhead;

Goal 2 – “Ecosystem Process and Biotic Communities”: The restoration plan would define an implementation strategy for rehabilitating the natural process of Murphy Creek and its riparian corridor; and

Goal 3 – “Harvestable Species”: The implementation of the restoration plan would maintain and enhance populations of harvestable species such as Chinook salmon and Steelhead.

In addition, the Murphy Creek restoration plan would address the CALFED uncertainties such as:

“Channel Dynamics, Sediment Transport, and Riparian Vegetation”: The restoration plan will develop a plan to remove instream reservoirs that also act to reduce the flow of gravel within the stream. It is estimated that approximately 57,400 linear feet of stream channel will be made available for gravel transport; and

“Beyond the Riparian Corridor”: This project will also develop a protection and enhancement plan for the riparian areas which will work with the adjacent agricultural activities such as cattle grazing to improve the riparian habitat for the benefit of both the in-stream habitat (fish, invertebrates) and the riparian species such as neotropical birds and other important wildlife. The project will educate future efforts to coordinate economically viable agricultural operations such as grazing and vineyards with ecosystem protections.

c. Adaptive Management

The Murphy Creek plan is designed to lead to full-scale implementation of a watershed protection and restoration project. There is substantial scientific understanding regarding the benefits of removing obstacles to fish passage (American Rivers, 2000), restoring natural geomorphic processes to stream systems (Mount, 1997), and protecting and enhancing riparian corridors (Geupel, 1998, Platts, 1982). In addition, substantial recent work has been done to show how riparian and stream systems can work in concert with on-going agricultural activities (Rinne, 1989; Macon, 1999).

As shown in the Conceptual Model, the Murphy Creek Watershed Protection and Restoration Plan will study the site challenges and opportunities and adjust the conceptual model to develop a final plan. For example, the removal of in-stream reservoirs is designed to increase fish passage and increase habitat for spawning, and increase the flow of gravel and sediment into the Mokelumne River. However, the particular physical parameters at the site of each reservoir will determine the type of additional restoration work or channel modifications, if any, which will be needed to

restore the natural geomorphic processes to the stream system to maximize fisheries migration and sediment transport. Thus the restoration plan will identify all the necessary design specifications and quantify the costs to restore the watershed system.

d. Educational Objectives

The Murphy Creek protection and restoration plan can help educate future CALFED projects regarding the benefits that upper elevation watersheds play to fish migration and riparian corridors. Removal of the instream reservoirs should also provide information regarding the benefits of enhanced sediment transport and budgets from upper elevation watersheds. In addition, this project will show how agricultural practices can work in concert with ecosystem protection and enhancement.

2. Proposed Scope of Work

a. Location and/or Geographic Boundaries of the Project

The Murphy Creek watershed is a tributary to the Mokelumne River, which is located along the northern banks of the Mokelumne just below Camanche Dam. The Murphy Creek watershed borders Amador and San Joaquin Counties. It is located in the Eastside Delta Tributaries, Mokelumne River Ecological Management Zone Area in the Bay-Delta Watershed. The Plan is designed to encompass the entire watershed with specific restoration actions (removal of reservoirs and fencing of riparian corridors) in and along the main stem and tributaries to Murphy Creek. The coordinates are Northing 4,235,487, Easting 673,486 (UTM, NAD 1927, Zone 10).

b. Approach

The lower Mokelumne River is a heavily managed, eastside tributary to the Sacramento-San Joaquin Delta. The river supports a wide variety of plant and animal life, including at least 36 fish species. Native anadromous fish include fall-run chinook salmon, steelhead trout and Pacific lamprey. Camanche Dam, constructed in 1964, has blocked native anadromous salmonids from an estimated 80% of historical spawning habitat. Mitigation for the project included the construction of the Mokelumne River Fish Hatchery and the management of the reservoir's cold water pool storage for the resources of the lower river. East Bay Municipal Utility District (EBMUD), owner and operator of Camanche Dam have long been concerned with the protection and enhancement of the river's resources. This has culminated into several monitoring and restoration programs on the lower river in cooperation with several state, federal and local agencies as well as private landowners.

Murphy Creek is a tributary to the lower Mokelumne River. This creek drains over 3,100 acres of farmed and grazed lands to the north of Camanche Dam and enters the river approximately 200 meters downstream of the dam. Historically, this creek was

most likely ephemeral but presently has consistent flow from several sources including seepage from Camanche Dam and agricultural irrigation. The creek can be flashy with as much as 800 to 1,000 cfs (16 - 20% of Camanche flood flow) released into the Mokelumne River. Historical data collected by the California Department of Fish and Game suggests anadromous salmonids may use the creek for one or more of their life stages during some years. Numerous water projects have been developed on Murphy Creek agricultural use. Prior to construction of the stockponds on the main channel of Murphy Creek landowners frequently observed adult salmon in the creek (Sparrow pers. Comm.)

Several factors influence the health of an anadromous stream. Clean gravel and boulders provide habitat for diatoms, algae, and aquatic macroinvertebrates, the main food source of the river's fauna. Furthermore, this material is the prime spawning habitat for steelhead, chinook salmon, Pacific lamprey and a variety of other non-anadromous fish. Dams and reservoirs effectively block the production and migration of this bed material from the upper watershed. Human activities within the watershed and along the stream corridor, such as road construction, farming, grazing and vegetation removal add fine sediments and elevate the nutrient load of anadromous streams. This may impact the organisms within the stream by reducing oxygen, elevating water temperatures within the substrate or irritating the breathing structures of many aquatic organisms, rendering historic spawning areas useless in some cases. Pesticide and other chemical runoff from agricultural and domestic use can reduce the effectiveness of a fish's immune system or reduce the reproductive success of many organisms.

The Murphy Creek Protection and Restoration Plan approach will focus primarily on three components: 1) watershed protection through conservation easements; 2) developing design/build level instream and riparian restoration and enhancement plans; and 3) identifying and designing alternative water supply facilities for adjacent agricultural land uses. The development of the Plan will involve multiple stakeholders including the American Lands Conservancy, Wildlands, Inc., East Bay Municipal Utility District, and several local private landowners.

The watershed protection planning approach will require developing an economically viable method to ensure that existing landowners will receive fair-market value for ensuring the long-term protection of watershed lands from threats from urbanization and non-compatible agriculturally practices. The American Land Conservancy will work with local landowners to:

- 1) Develop draft land use and conservation easement agreements from local landowners;
- 2) Contract for and review land appraisals for appropriate properties; and
- 3) Identify and contact potential funding sources to acquire the conservation easements.

It is recognized that implementation of the restoration and enhancement plans are dependent upon assuring the long-term preservation of watershed properties.

The approach to developing the watershed restoration and enhancement plan will focus on:

- 1) Assessing and inventorying the current status of the resource;
- 2) Identifying a target list of species for restoration and enhancement focus;
- 3) Developing methods and design/build level plans for restoring the target species (e.g., removal of fish barriers to improve fish passage); and
- 4) Identifying and developing methods to address threats from non-native species.

The restoration and enhancement efforts will focus on both instream habitat and the riparian corridors, along with overall land use on watershed lands. Wildlands, Inc. will work in cooperation with the East Bay Municipal Utility District and the landowners to assess existing conditions and develop the restoration plans.

Finally, Wildlands, Inc. working in cooperation with East Bay Municipal Utility District and the landowners will develop alternative water supply options to accommodate the loss of the reservoirs. The development of alternative water supply will require:

- 1) Assessing current water supply and projected use;
- 2) Identifying and assessing the feasibility of alternative water supply facilities such as groundwater pumping; and
- 3) Designing and costing the potential water supply facilities.

All planning for the implementation of the restoration and enhancement of the instream and riparian efforts, along with alternative water supplies, will identify potential opportunities for landowners to perform the work (e.g., fencing, tree planting, weed control, maintaining water supply equipment, etc.). In addition, a basic monitoring plan will be developed to determine the level of success for the target species, habitat, and sediment budget.

c. Monitoring and Assessment Plans

The development of an overall monitoring program will be included in the Plan, but actual monitoring will not take place in this phase of the project.

d. Data Handling and Storage

The data will be handled, stored and used in ARC-View, AutoCAD, Word and Excel programs. This information will be made available to the appropriate funding entities and will also be included in the appendix sections of the Final Plan. This data has the capability to be shared through all appropriate digital and hard copy formats.

e. Expected Products/Outcomes

The Murphy Creek Watershed Protection and Restoration Plan is designed to result in an implementable final plan for both long-term protection of the important watershed lands and detailed, design-level plans for restoring and enhancing fisheries and riparian habitat. The Plan will also include means and methods to provide alternative water supplies to enable the existing agricultural activities to continue in this area.

The Plan is also designed to document the benefits resulting from the implementation of the project. Thus, it is hoped that this Plan will result in the funding of its implementation. In addition, many of the implementation activities will be able to be undertaken by the local landowners (e.g., fencing, weed control, etc.) and may be able to be implemented before full funding becomes available.

Work Schedule

The project is expected to begin work in Spring of 2001 and should take approximately nine months to complete. Thus, the finished report should be available in late fall of 2001 or early 2002.

As described in Approach section, the three components of the watershed plan should take approximately:

- 1) Protection through conservation easement – 9 months;
- 2) Restoration and enhancement plan – 9 months;
- 3) Alternative water supplies – 4 months.

f. Feasibility

The success of any watershed protection effort is based primarily on the willingness of participants to work together toward the same goals and the size and complexity of the issues that need to be addressed. In the case of the Murphy Creek Watershed the local landowners, notably the three major landowners (EBMUD and two private landowners) whose lands encompass a major percentage of the Creek and its tributaries, have expressed a strong desire to protect the lands in their current agricultural uses (see attached letters). Murphy Creek also offers the unique opportunity to make modifications to the existing stream system that would substantially improve fisheries passage and habitat. The removal of impediments to fish passages such as dams and reservoirs have proven to be highly successful in other areas of the country. Efforts to restore and enhance riparian habitat through both re-vegetation and the removal of grazing pressure from stream corridors have also proven to be highly successful in restoring riparian density and productivity.

The nine-month timeline envisioned to develop the plan should be more than sufficient to identify the opportunities and constraints to protection and restoration, and developed design level solutions.

D. Applicability to CALFED ERP Goals and Implementation Plan and CVPIA Priorities

1. ERP Goals and CVPIA Priorities.

The development of this Plan will lead to the stated objectives of the Ecosystem Restoration Strategic Goals in the following ways:

- Recovering at-risk species spawning habitat for fall-run Chinook salmon and Steelhead ;
- Rehabilitating ecosystem processes by restoring inchannel flow, gravel recruitment to the Mokelumne River, and native riparian vegetation;
- Enhancing harvestable fish species such as the fall-run chinook salmon and steelhead; and
- Restoring functioning habitats such as free flowing stream systems and native riparian habitat to support neotropical birds and other important wildlife species.

In addition, this Plan should, if implemented, assist in achieving the CVPIA goal of doubling natural production of anadromous fish.

2. Relationship to Other Ecosystem Restoration Projects.

This Plan will assist in helping to implement the overall goals of the Lower Mokelumne River Watershed Stewardship Plan and various projects implemented by East Bay Municipal Utility District (EBMUD). The Lower Mokelumne River Watershed Stewardship project received CALFED funding to develop a watershed plan. The final plan has not been completed, however this Plan would assist in achieving many of the goals and objectives that have been identified through that effort.

EBMUD, owner and operator of Camanche Dam has long been concerned with the protection and enhancement of the river's resources. This has culminated into several monitoring and restoration programs on the lower river in cooperation with several state, federal and local agencies as well as private landowners.

EBMUD, in conjunction with federal and state resources agencies, have place approximately 9,500 cubic yards of suitable spawning gravel adjacent to or within 6 miles downstream of Murphy Creek, the prime spawning area for salmon and steelhead. Staff have changed livestock management in riparian areas, removed highly erosive roads and planted native trees and grasses to reduce fine sediment, water temperatures and increase bank stability in heavily used areas. The District has also changed its practices of pest management within the watershed.

EBMUD is concerned that future water development on Murphy Creek does not result in increased fine sediment, water temperature, and decreased water in the creek and

the lower Mokelumne River. These impacts could potentially jeopardize the restoration projects underway in the system.

3. Request for Next-Phase Funding.

Not applicable to this grant proposal.

4. Previous Recipients of CALFED and CVIA Funding.

Not applicable to this grant proposal.

5. System-Wide Ecosystem Benefits

This project has the potential to provide a number of synergistic, system-wide ecosystem benefits to the Mokelumne river and watershed basin. For example, EBMUD has been involved in attempting to restore gravels for salmonid spawning habitat below Camanche Dam to compensate for the lost of larger sediment sources. Restoring the natural geomorphic processes to Murphy Creek, by removing the instream reservoirs, will increase the larger sediment load flowing into the Mokelumne River immediately below the Dam. In addition, the need for more salmonid spawning habitat would be improved by removing barriers to fish passages that exist on Murphy Creek. The removal of the several main stem reservoirs will create an additional 24,200 linear feet of potential spawning habitat within Murphy Creek. Development of a protection and restoration plan will assist in implementing the goals of the Lower Mokelumne River Watershed Stewardship Plan and may serve as a model for other smaller sub-watershed units within the watershed.

E. Qualifications

American Land Conservancy

The American Land Conservancy will be the project lead and will assess local land values and identify and secure funding for conservation easements on watershed properties to protect the current agricultural land uses. The American Lands Conservancy is national, private, non-profit organization. ALC works in close partnership with communities, private landowners, local land trusts, public land agencies, and elected officials to create effective conservation solutions for threatened land and water resources.

Wildlands, Inc.

Wildlands, Inc. will be the project lead in performing a reconnaissance study of existing natural resources, in cooperation with EBMUD, and will design the proposed habitat restoration and enhancement plan. Wildlands, Inc. is a private habitat restoration and land management entity, which specializes in wetland, riparian corridor, and endangered species habitat restoration and preservation. Wildlands has successfully completed restoration and enhancement projects in the Delta and Central Valley habitats such as:

- Kimball Island: Restore and enhance shaded aquatic riverine and plaustrine emergent marsh in the western Delta;
- Sheridan Mitigation Bank: Restore and created riparian, plaustrine emergent marsh, open water, and vernal pool habitats, along with burrowing owl and Valley Elderberry Longhorn Beetle habitat;
- Dolan Ranch: Protect and enhance giant garter snake habitat, vernal pools, seasonal wetlands, annual grasslands, and burrowing owl and Swainson's hawk; and
- Orchard Creek: Protect and enhance vernal pool and swale habitat, along with native grasslands.

Murphy Creek Watershed Landowners

The local landowners will work cooperatively on all aspects of the program. The Murphy Creek Landowners Working Group is comprised of several majority landowners that have agreed to work cooperative with the American Land Conservancy, Wildlands, and EBMUD in the planning, design and future implementation of this program. The landowners have agreed to work cooperatively in developing long-term protection agreements on the property. In addition, much of the "hands-on" restoration may be implemented by the landowners themselves. Restoration and enhancement activities such as fencing the riparian areas, vegetation replanting, and maintaining alternative

water supply facilities (e.g., groundwater pumps, troughs, etc.) could be done very efficiently and competently by the existing ranchers and growers.

East Bay Municipal Water District

East Bay Municipal Utility District (EBMUD) has agreed to assist in the watershed resource evaluation and mapping effort. EBMUD may also provide equipment, materials and funding for projects aimed at reducing impacts associated with riparian use. This includes livestock fencing materials, alternative watering sources, plant and seed for bank stabilization and shading as well as the technical assistance necessary to effectively use these resources to minimize impacts. EBMUD looks forward to working with riparian water users to find mutual solutions to problems faced by the user, riparian landowner and the natural resources entrusted to all within the watershed.

EBMUD, owner and operator of Camanche Dam has long been concerned with the protection and enhancement of the river's resources. This has culminated into several monitoring and restoration programs on the lower river in cooperation with several state, federal and local agencies as well as private landowners.

F. Cost

1. Budget

The American Land Conservancy is requesting **\$663,150** from CALFED. The budget for the Murphy Creek Feasibility Study is almost equally divided between the efforts to protect the watershed through conservation easements and the actual restoration design for the watershed.

The efforts to coordinate landowners, draft conservation easements, assess land values, negotiate draft purchase agreements, and confirm final commitments to easements is estimated to cost **\$340,944**. The effort to assist in the protection efforts, map existing watershed conditions, develop plans to remove the dams and restore riparian habitat, develop alternative water supplies and budget the costs for restoration is **\$322,206**. The in-kind services and cash contributions will be used to offset additional study and plan costs.

2. Cost Sharing

East Bay Municipal Water District (EBMUD) and the Woodbridge River Company have agreed to provide in-kind services and monies to the protection and restoration plan efforts. EBMUD has agreed to provide approximately \$44,000 worth of services to the project (see Table 2). These efforts will include Geographic Information System (GIS) mapping, fisheries and invertebrate sampling, laboratory and data analysis, and report development.

The Woodbridge River Company is providing a cash contribution of \$5,000.

G. Local Involvement

Those with a potential interest in this project include adjacent private landowners, government agencies, agricultural business groups, county-level agencies, local schools, and non-profit organizations. Many affected parties have already been contacted and will continue to be contacted. The Murphy Creek Watershed partners have received a very positive response to the planned restoration effort, as noted in the attached letters of support.

The majority of the watershed property owners have been contacted and are very supportive of this effort (see attached letters). Both the San Joaquin County and Amador County Board of Supervisors have been notified (see attached). In addition, agricultural business interests and the local Congressional representative has been contacted.

The following groups and organizations have been contacted and/or consulted regarding the proposed restoration effort:

- ***East Bay Municipal Utility District*** is both landowner and a willing participant in the effort and is supportive of salmoid restoration and geomorphic efforts to restore a sediment source to the Mokelumne River;
- ***California Rangeland Trust*** has been contacted and is supportive of the project since it strives to maintain grazing activities on the land;
- ***Congressman Richard Pombo Office*** has been contacted and is supportive of efforts to retain viable agriculturally activities such as vineyards and grazing while protecting private property rights;
- ***Lodi Wine Growers Association*** is supportive of maintaining productive vineyards in an environmentally friendly manner.

Finally, if the property is put into conservation easement allowing for on going agriculturally activities, there should be no net loss in tax revenue due to local governments. In addition, as the salmon restoration produces more fish, local businesses (boat, fuel, food, sundries, etc) should see an increase in revenue, yielding an increase in sales tax collected, as well as increases in business-related income and business/personal taxes.

H. Compliance with Standard Terms and Conditions

The American Land Conservancy agrees to comply with the standard terms and conditions as set forth in the CALFED 2001 Proposal Solicitation Package. ALC has reviewed and understands the standard terms for both the State and Federal granting conditions.

The American Land Conservancy is partnering with a number of different entities to perform this effort and thus assumes that these entities are partners, rather than subcontractors, and thus are not subject to the competitive bid process. All the work of the partners is shown within this proposal.

I. Literature Cited

- American Rivers. 2000. Dam Removal Success Stories: Restoring Rivers through Selective Removal of Dams that Don't Make Sense. Report by the American Rivers, Friends of the Earth and Trout Unlimited. Printed on Internet: www.amrivers.org/successcontents.html.
- California Department of Fish and Game. 1994. California Salmonid Stream Habitat Restoration Manual. 2nd Edition. CDFG. Inland Fisheries Division, Sacramento, California
- California Partners in Flight/Riparian Habitat Joint Ventures. 1998. The Draft Riparian Bird Conservation Plan: A Strategy for Reversing the Decline of Birds and Associated Riparian Species in California. December.
- East Bay Municipal Utility District. 2000. Personal Communication with Kent Reeves, Staff Wildlife Biologist.
- Geupel, G.R., A. King, T. Haff and R. DiGaudio. 1998. The response of songbirds to restoration activities and flood in riparian habitats of the Consumnes River Preserve. Point Reyes Bird Observatory report to the Nature Conservancy. Stinson Beach, CA.
- Gray, Donald H., Robbin B. Sotir. 1996. Biotechnical and Soil Bioengineering Slope Stabilization: A Practical Guide for Erosion Control. John Wiley & Sons. New York. NY.
- King, A. and G. Geupel. 1997. Songbird response to re-vegetation efforts at Stony Creek and other Nature Conservancy sites along the Sacramento River: results from 1996 field season. Point Reyes Bird Observatory report of Nature Conservancy, Stinson Beach, CA.
- Kondolf, G.M. 2000. Some Suggested Guidelines for Geomorphic Aspects of Anadromous Salmonid Habitat Restoration Proposals. Restoration Ecology. Volume 8, Number 1, March.
- Lower Mokelumne River Watershed Stewardship Plan. 2000. Issues and Opportunities Paper. Mokelumne River Watershed Stewardship Program, San Joaquin County Resources Conservation District. March 22.
- Macon, Dan. 2000. Grazing for Change: Range and Watershed Management Success Stories in California. California Cattleman's Association.

- Platts, W.S. 1982. Livestock and riparian-fisheries interactions: What are the facts? Trans. N. Am. Wildl. Nat. Resour. Conf. 47:507-511. Wildlife Management Institute, Washington DC.
- Rinne, J.N. 1989. Minimizing grazing effects on riparian stream habitats. Pages 15-28 in G. Flock, ed. Proceedings, National Symposium for Enhancement States' Lake and Wetland Management Programs. North American Lake Management Society, Chicago, IL.
- Yoshimiyama, R.M., E.R. Gerstung, F.W. Fisher, and P.B. Moyle. 2000. Chinook Salmon in the Central Valley: an Assessment. Fisheries: American Fisheries Society. Volume 25, Number 2.

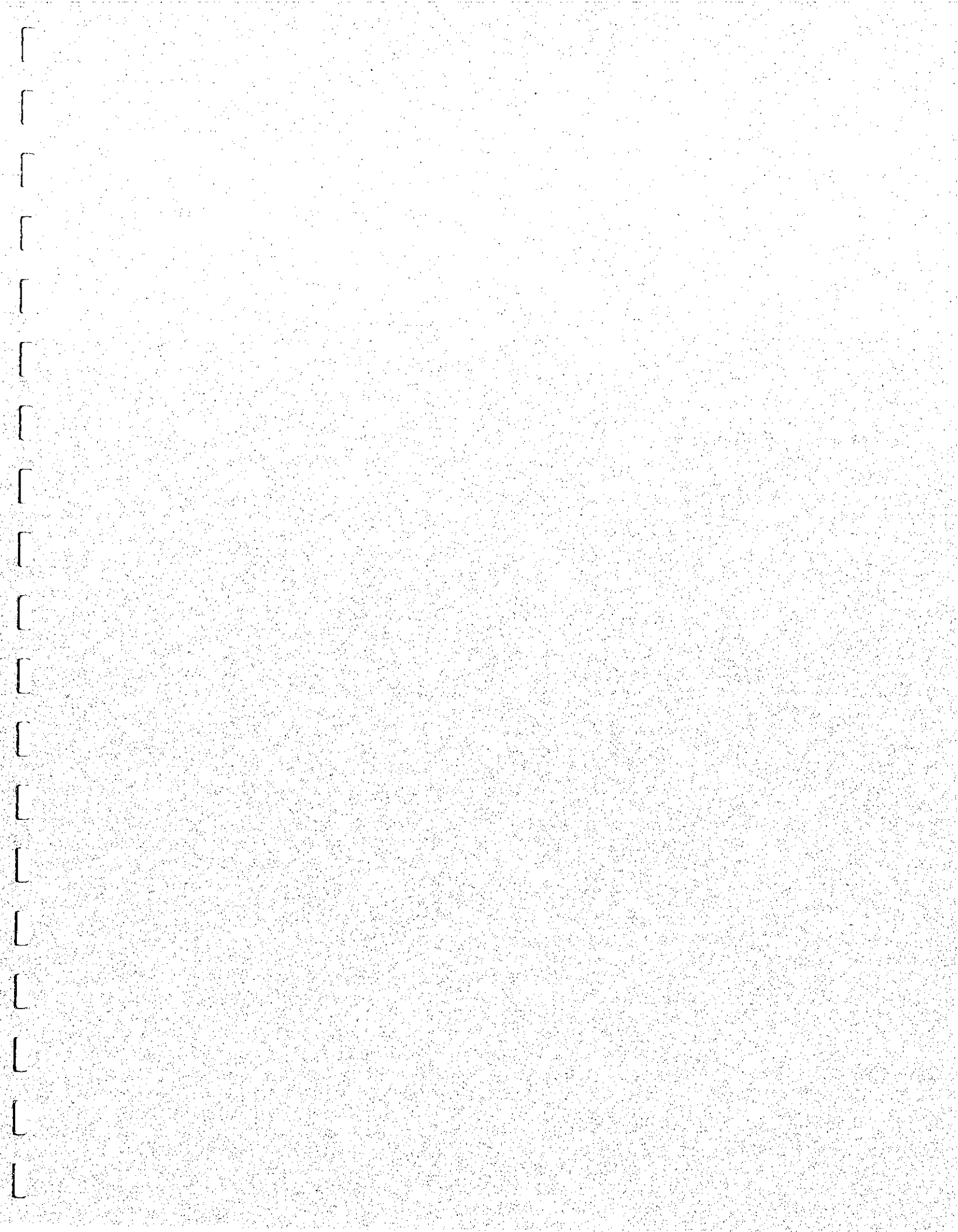
J. Threshold Requirements

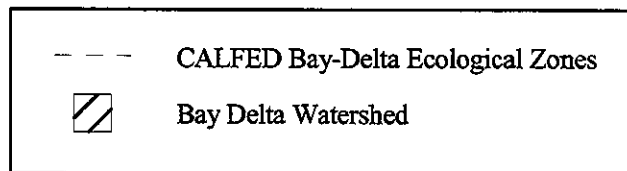
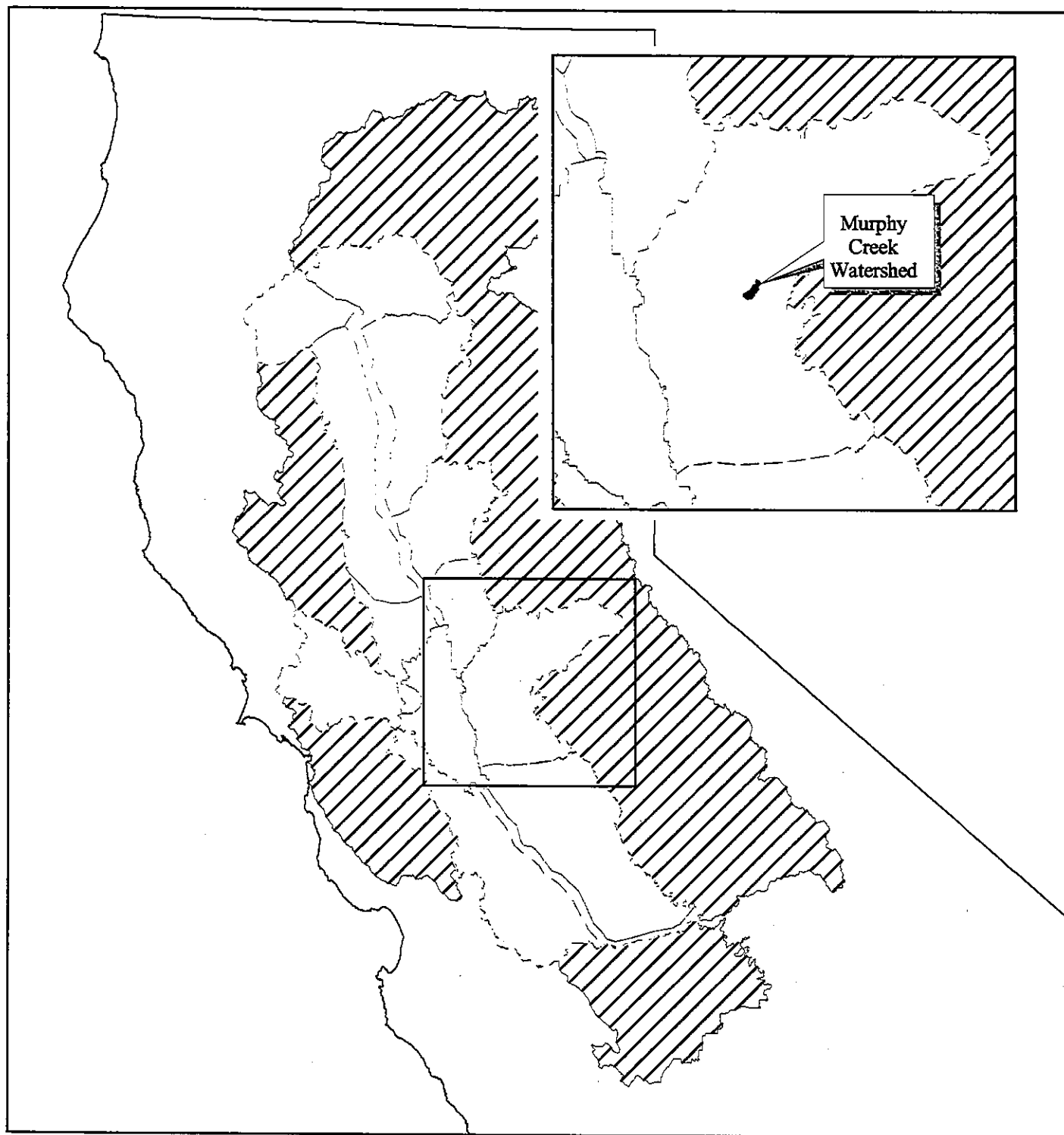
The following lists the appendix items that have been included to address the CALFED Grant threshold requirements:

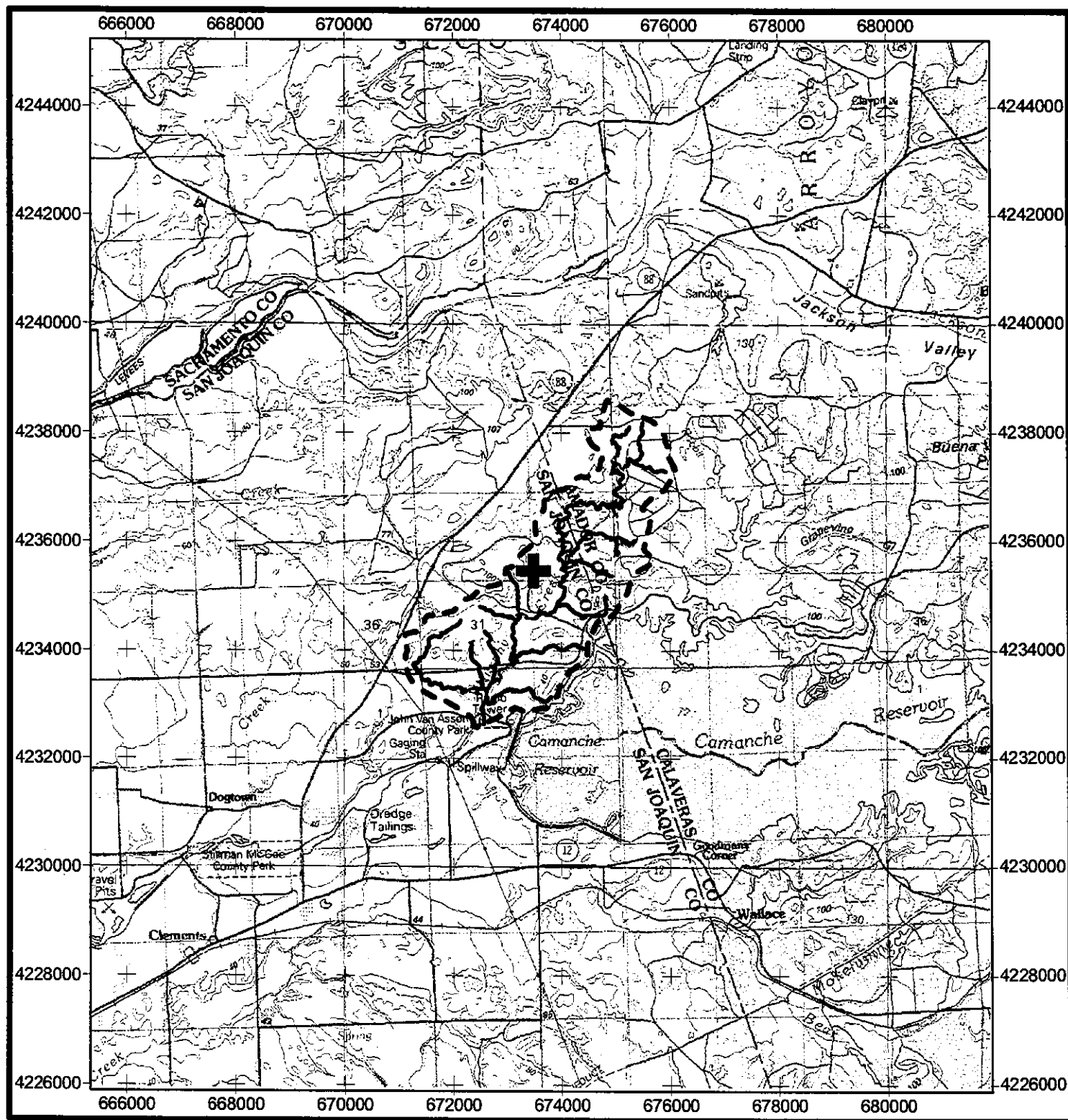
1. Letter of Local Government Notification for Amador and San Joaquin Counties;
2. Permission Letters from Landowners to Access the Properties
(Note: EBMUD is a project partner and thus did not submit an Access Letter);
3. CALFED Environmental Checklist;
4. CALFED Land Use Checklist;
5. Nondiscrimination Form
6. Standard Form 424/Non-construction Budget Form

Others:

1. Letters of Support
2. Murphy Creek Property Owners "Mission Statement";
3. Lodi News Article "Ranchers have plan to save salmon";
4. Woodbridge River Company Letter;
5. Pictures of blackberry growth instream.







Data Source: USGS 1:100,000 Placerville and Sacramento Quadrangles
 Scale 1:100,000
 Projection: UTMNAD 1927 Zone 10

Centroid Northing 4,235,487 Easting 673,485

- Murphy Creek Watershed Boundary
- Murphy Creek
- ⊕ Centroid

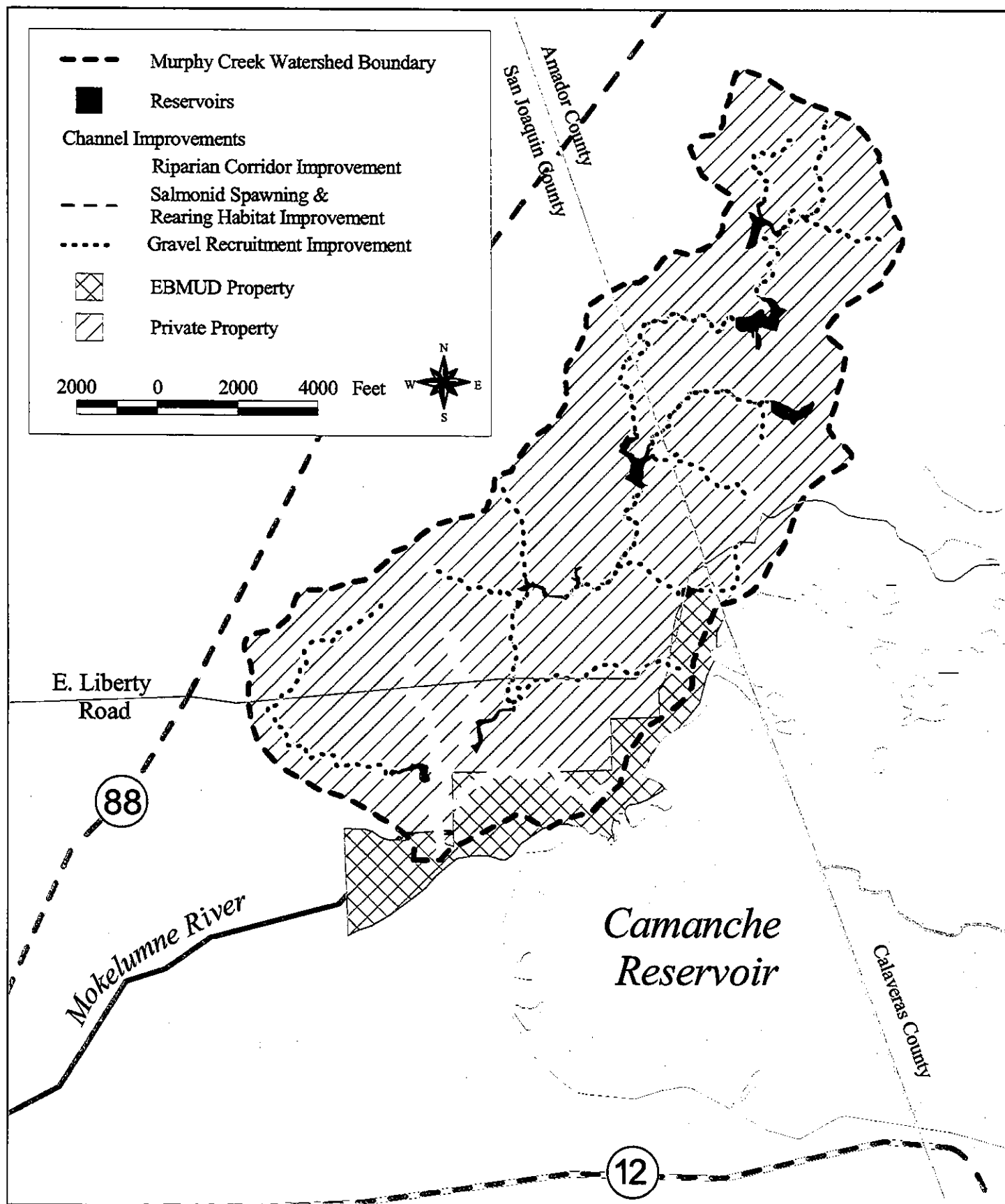


Wildlands, Inc.

Murphy Creek CALFED Grant Application

Murphy Creek Watershed

Figure 3



Wildlands, Inc.

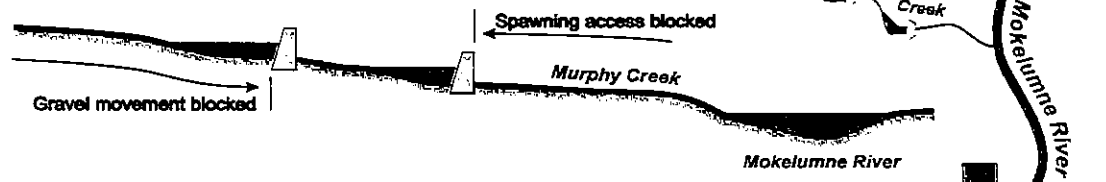
Murphy Creek CALFED Grant Application

Potential Channel Improvements

Figure 4

1 Problem

Lack of spawning area and spawning gravel for salmonids on the Mokelumne River and its tributaries

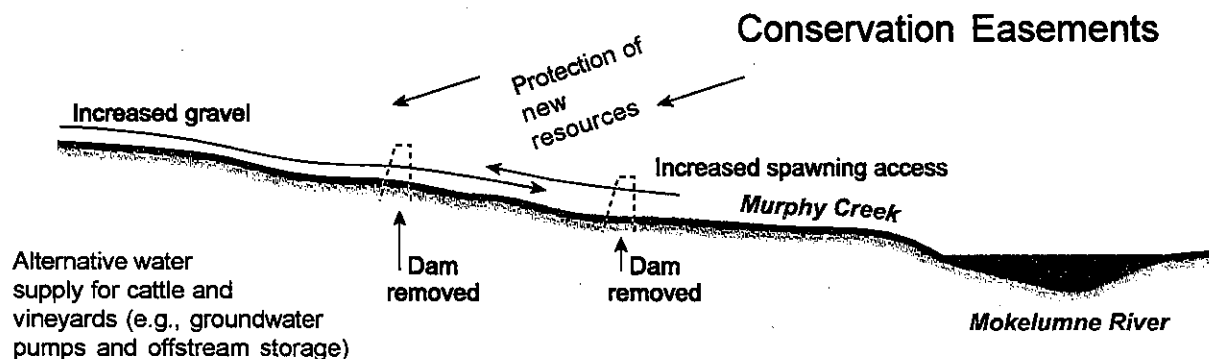


2 Ecosystem Goals

- Increase natural sources of spawning gravels for mainstem river
- Increase spawning and rearing area for salmonids
- Increase terrestrial riparian habitat

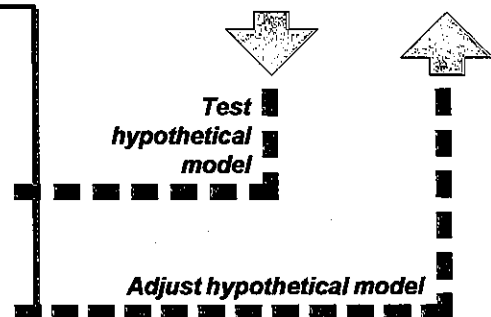


3 Conceptual Model



4 Feasibility Analysis

- Define funding sources for conservation easements;
- Design constraints of instream restoration;
- Riparian revegetation and protection efforts (fencing, etc.)
- Exotic plant control/removal (blackberries)
- Alternative water supply methods



Species of the Lower Mokelumne River

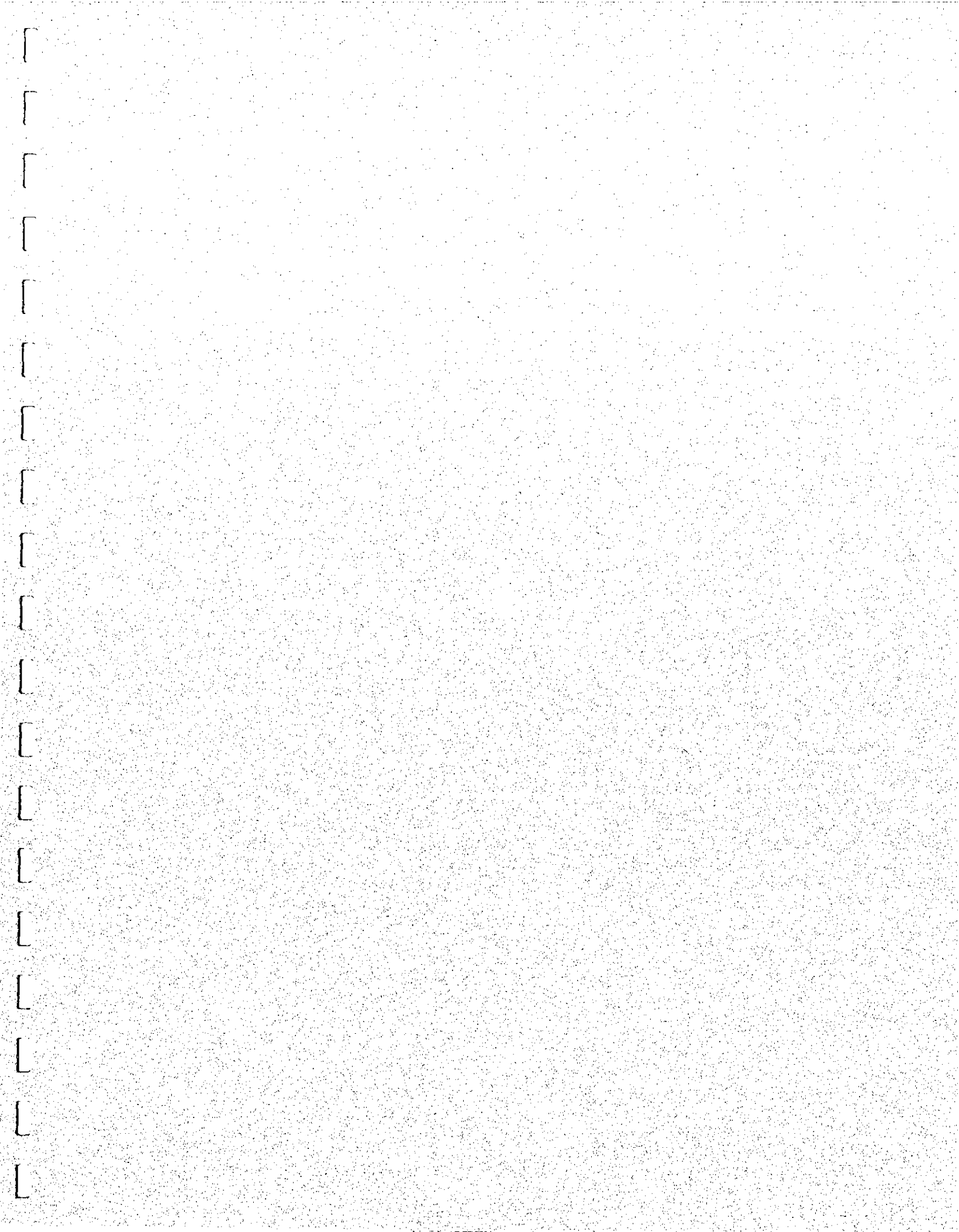
Common Name	Genus	Species
American Shad	Alosa	sapidissima
White Catfish	Ameiurus	catus
Brown Bullhead	Ameiurus	nebulosus
Goldfish	Carassius	auratus
Sacramento Sucker	Catostomus	occidentalis
Prickly Sculpin	Cottus	asper
Common Carp	Cyprinus	carpio
Threadfin Shad	Dorosoma	petenense
Gambusia	Gambusia	affinis
Tule Perch	Hysterocarpus	traski
Channel Catfish	Ictalurus	punctatus
Pacific Lamprey	Lampetra	tridentata
Hitch	Lavinia	exilicauda
Green Sunfish	Lepomis	cyanellus
Bluegill	Lepomis	macrochirus
Redear Sunfish	Lepomis	microlophus
Lepomis hybrid	Lepomis	x
Inland Silverside	Menidia	beryllina
Black Bass	Micropterus	sp.
Smallmouth Bass	Micropterus	dolomieu
Spotted Bass	Micropterus	punctulatus
Largemouth Bass	Micropterus	salmoides
Striped Bass	Morone	saxatilis
Hardhead	Mylopharodon	conocephalus
Golden Shiner	Notemigonus	crysoleucas
Fall Chinook Salmon	Oncorhynchus	tshawytscha
Steelhead	Oncorhynchus	mykiss
Kokanee	Oncorhynchus	nerka kennerlyi
Sacramento Blackfish	Orthodon	microlepidotus
Bigscale Logperch	Percina	macrolepida
Sacramento Splittail	Pogonichthys	macrolepidotu
Black Crappie	Pomoxis	nigromaculatus
Sacramento Squawfish	Ptychocheilus	grandis

Source: EBMUD



Task	Total Cost
GIS Planning, development, and production	\$ 20,000
GPS Mapping	
2 Biologists @ \$78/hour for 5 days	6240
2 Technicians @ 65/hour for 5 days	
Fish and Macroinvertebrate Sampline	
2 Biologists @ \$78/hour for 5 days	6240
2 Technicians @ \$65/hour for 5 days	5200
Laboratory and Data Analysis	
1 Biologist @ \$78/hour for 2 days	1248
1 Technician @ \$65/hour for 2 days	1040
Report Development	
1 Biologist @ \$78/hour for 4 days	2496
1 Technician @ \$65/hour for 4 days	2080
Total	\$ 44,544





ALC BUDGET - MURPHY CREEK FEASIBILITY STUDY:

Task	Direct Labor Hours	Direct Labor Cost	Benefits	Travel	Supplies	Service Contracts	Sub Total	Overhead (%)	Equipment	Total Cost Sub Total
									(Exempt from Overhead)	
Direct Hourly Rate		\$ 35								
TASK 1										
Meet with land owners to define potential for easements and restoration. (assume 12 meetings)	240	\$ 8,400	\$ 1,680	\$ 2,000		\$ 25,000	\$ 37,080	\$ 7,416		\$ 44,496
TASK 2										
Develop draft conservation easements	320	\$ 11,200	\$ 2,240	\$ 4,000		\$ 50,000	\$ 67,440	\$ 13,488		\$ 80,928
TASK 3										
Assess land values	100	\$ 3,500	\$ 700	\$ 2,000		\$ 100,000	\$ 106,200	\$ 21,240		\$ 127,440
TASK 4										
Negotiate draft purchase agreements	100	\$ 3,500	\$ 700	\$ 4,000		\$ 20,000	\$ 28,200	\$ 5,640		\$ 33,840
TASK 5										
Confirm final commitments to easements	100	\$ 3,500	\$ 700	\$ 1,000		\$ 40,000	\$ 45,200	\$ 9,040		\$ 54,240
TASK 6										
Map existing conditions and reconnaissance level baseline surveys for riparian and fisheries restoration										
TASK 7										
Develop improvement plan to remove dams										
TASK 8										
Develop riparian corridor revegetation/recovery plan										
TASK 9										
Develop alternative water supply plans and details										
TASK 10										
Prepare implementation plan and budget										
Totals	860	\$ 30,100	\$ 6,020	\$ 13,000		\$ 235,000	\$ 284,120	\$ 56,824		\$ 340,944

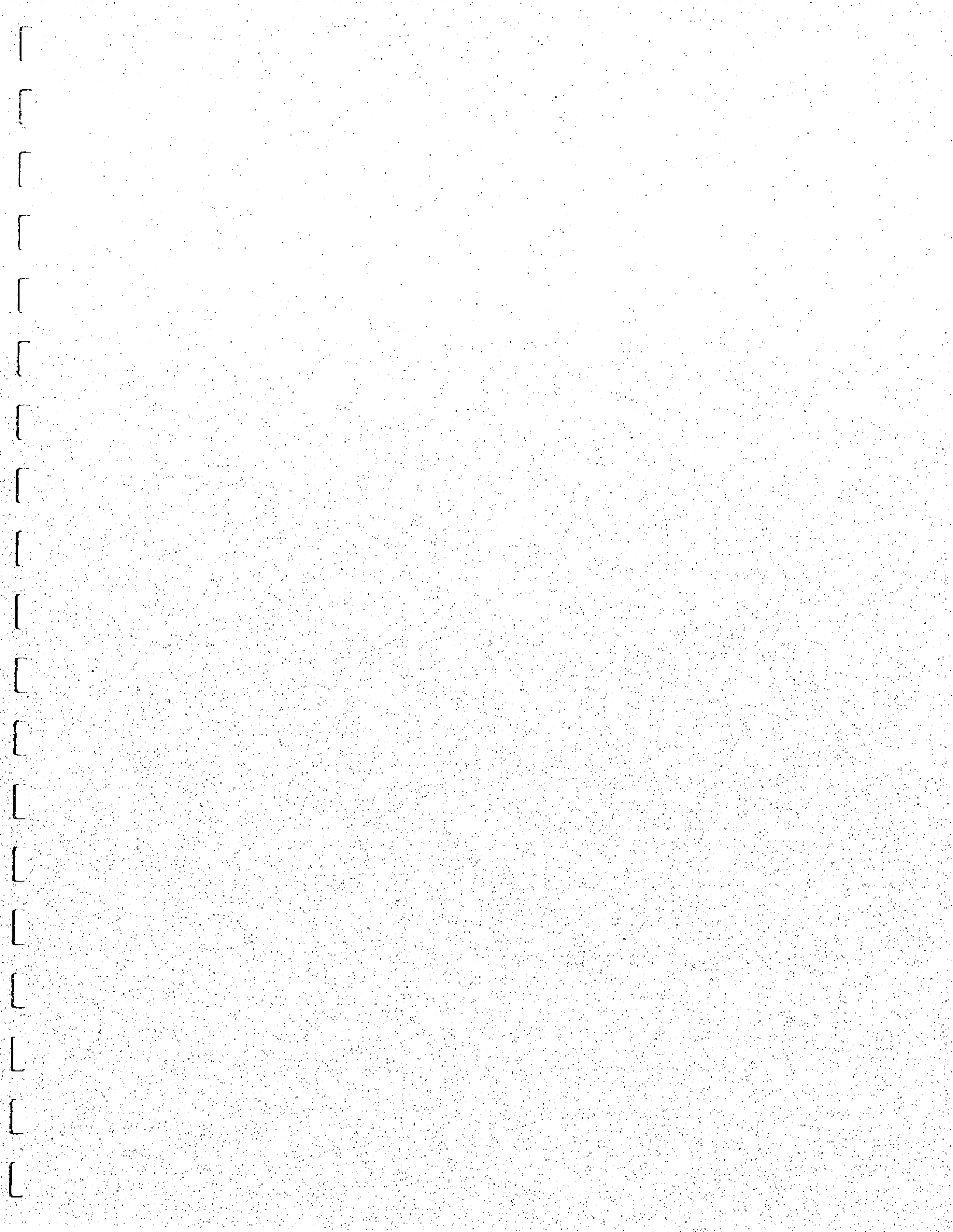
WILDLANDS BUDGET - MURPHY CREEK FESIBILITY STUDY:

Task	Direct Labor Hours					Direct Labor Cost	Benefits 30%	Travel	Supplies	Service Contracts	Sub Total	Overhead 40%	(Exempt from overhead)	Total Cost Sub Total
	Clerical	Junior Technical Staff	Mid-level Technical Staff	Senior Staff	Executive Staff									
Direct Hourly Rate	\$ 16	\$ 18	\$ 26	\$ 37	\$ 57									
TASK 1														
Meet with land owners to define potential for easements and restoration. (assume 12 meetings)	24		60	160	48	\$ 10,600	\$ 3,180	\$ 320	\$ 120		\$ 14,220	\$ 6,399		\$ 20,619
TASK 2														
Develop draft conservation easements	10			22	32	\$ 2,798	\$ 839	\$ 150	\$ 32		\$ 3,819	\$ 1,719		\$ 5,538
TASK 3														
Assess land values	2			10	20	\$ 1,542	\$ 463		\$ 50		\$ 2,055	\$ 925		\$ 2,979
TASK 4														
Negotiate draft purchase agreements	6			48	48	\$ 4,608	\$ 1,382	\$ 166	\$ 50		\$ 6,206	\$ 2,793		\$ 8,999
TASK 5														
Confirm final commitments to easements	2			24	24	\$ 2,288	\$ 686	\$ 120	\$ 32		\$ 3,126	\$ 1,407		\$ 4,533
TASK 6														
Map existing conditions and reconnaissance level baseline surveys for riparian and fisheries restoration	64	450	620	280	68	\$ 39,480	\$ 11,844	\$ 320	\$ 1,260	\$ 8,000	\$ 60,904	\$ 27,407		\$ 88,311
TASK 7														
Develop improvement plan to remove dams	85		120	120	85	\$ 13,765	\$ 4,130	\$ 120	\$ 75	\$ 24,000	\$ 42,090	\$ 18,940		\$ 61,030
TASK 8														
Develop riparian corridor revegetation/recovery plan	16	80	85	65	24	\$ 7,679	\$ 2,304	\$ 180	\$ 150	\$ 2,000	\$ 12,313	\$ 5,541		\$ 17,853
TASK 9														
Develop alternative water supply plans and details	46	280	468	220	118	\$ 32,810	\$ 9,843	\$ 230	\$ 350	\$ 6,000	\$ 49,233	\$ 22,155		\$ 71,388
TASK 10														
Prepare implementation plan and budget	48	68	240	168	64	\$ 18,096	\$ 5,429	\$ 120	\$ 600	\$ 4,000	\$ 28,245	\$ 12,710		\$ 40,955
Totals	303	878	1593	1117	531	\$ 133,666	\$ 40,100	\$ 1,726	\$ 2,719	\$ 44,000	\$ 222,211	\$ 99,995		\$ 322,206

Note: Service contracts will include: Civil engineers, hydrologist, and ground water pump consultants. This work will be bid out.

SUMMARY BUDGET - MURPHY CREEK FEASIBILITY STUDY:

Task	Total Cost ALC	Total Cost Wildlands	Total Cost ALC & Wildlands
Direct Hourly Rate			
TASK 1			
Meet with land owners to define potential for easements and restoration. (assume 12 meetings)	\$ 44,496	\$ 20,619	\$ 65,115
TASK 2			
Develop draft conservation easements	\$ 80,928	\$ 5,538	\$ 86,466
TASK 3			
Assess land values	\$ 127,440	\$ 2,979	\$ 130,419
TASK 4			
Negotiate draft purchase agreements	\$ 33,840	\$ 8,999	\$ 42,839
TASK 5			
Confirm final commitments to easements	\$ 54,240	\$ 4,533	\$ 58,773
TASK 6			
Map existing conditions and reconnaissance level baseline surveys for riparian and fisheries restoration		\$ 88,311	\$ 88,311
TASK 7			
Develop improvement plan to remove dams		\$ 61,030	\$ 61,030
TASK 8			
Develop riparian corridor revegetation/recovery plan		\$ 17,853	\$ 17,853
TASK 9			
Develop alternative water supply plans and details		\$ 71,388	\$ 71,388
TASK 10			
Prepare implementation plan and budget		\$ 40,955	\$ 40,955
Totals	\$ 340,944	\$ 322,206	\$ 663,150





AMERICAN LAND CONSERVANCY®

456 Montgomery Street, Suite 1450 • San Francisco, California 94104 • Phone 415-403-3850 • FAX 415-403-3856 • E-Mail mail@alcnet.org

May 12, 2000

Clerk of the Board of Supervisors
County of Amador
500 Argonaut Lane
Jackson, CA 95642

To Whom It May Concern:

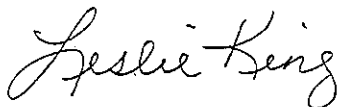
The American Lands Conservancy, in partnership with the Murphy Creek landowners, East Bay Municipal Utility District (EBMUD), and Wildlands, Inc., is applying to the CALFED Ecosystem Restoration Program for a grant to prepare a conservation, restoration, and enhancement plan for the lands within the Murphy Creek watershed.

The Murphy Creek watershed is approximately 3,000 acres in size and borders both Amador and San Joaquin Counties, southeast of Highway 88. The main stem of Murphy Creek flows into the Mokelumne River, along its northern shore, immediately below the Camanche Dam.

The proposed plan (see attachment) will: 1) identifying program financial mechanisms and programs to obtain conservation easements on watershed properties; 2) develop an instream restoration design to restore fish habitat; 3) design a riparian corridor revegetation program; and design an alternative water supply system to provide water for current land uses (grazing, vineyards, etc.). This program is supported by the local landowners and a number of agricultural organizations (California Rangeland Trust, Winegrowers Association). This plan would not result in a change in land use nor reduce the current economic revenues from the region.

If you have any question regarding the proposed planning effort, please contact me at 415-749-3010.

Sincerely,



Leslie King
Secretary of Board



Chris Jéhle
Vice President of Finance

cc: Amador County Planning Department



AMERICAN LAND CONSERVANCY®

456 Montgomery Street, Suite 1450 • San Francisco, California 94104 • Phone 415-403-3850 • FAX 415-403-3856 • E-Mail mail@alcnet.org

May 12, 2000

Clerk of the Board of Supervisors
San Joaquin County
222 East Weber Avenue
Courthouse Room 701
Stockton, CA 95202

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Leslie King
Secretary of Board



Chris Jehle
Vice President of Finance

cc: San Joaquin County Planning Department

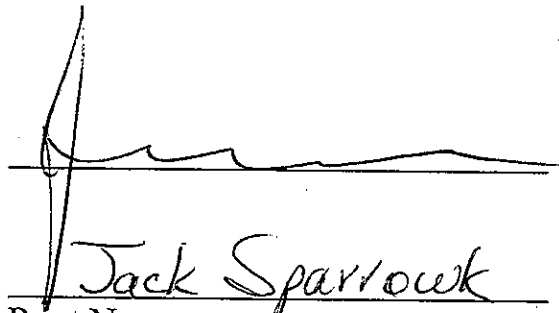
May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

To Whom It May Concern:

I am a property owner adjacent to Murphy Creek, San Joaquin County and here by declare my support for the concept of restoration of the creek to a more natural state. In furtherance of that support I consent to reasonable access to those doing an initial feasibility study for such restoration work.

Sincerely,



Print Name

23752 E. Liberty Rd. (P.O. Box 657)
Address
Clements, CA 95227

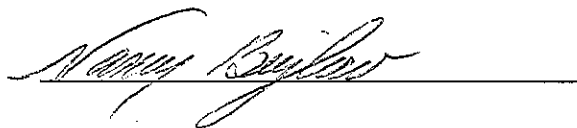
May 7, 2000

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Sincerely,



Nancy Biglow
Print Name

P.O. Box 722
24701 Ranchero Rd.
Address

Clements, Ca 95227

May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

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I am a property owner adjacent to Murphy Creek, San Joaquin County and here by declare my support for the concept of restoration of the creek to a more natural state. In furtherance of that support I consent to reasonable access to those doing an initial feasibility study for such restoration work.

Sincerely,

Richard L. Deller

RICHARD L. DELLER
Print Name

P.O. Box 12 - 24601 Ranchero Rd.,
Address

Clements, Ca. 95227

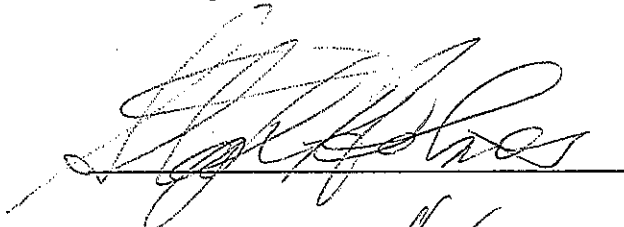
May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

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Sincerely,



Stephen Holmes
Print Name

P.O. Box 311
Address

Clements 95227

May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

To Whom It May Concern:

I am a property owner adjacent to Murphy Creek, San Joaquin County and here by declare my support for the concept of restoration of the creek to a more natural state. In furtherance of that support I consent to reasonable access to those doing an initial feasibility study for such restoration work.

Sincerely,

Melissa and Steve Holmes

Print Name

Box 341

Address

Clements CA 95227

May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

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I am a property owner adjacent to Murphy Creek, San Joaquin County and here by declare my support for the concept of restoration of the creek to a more natural state. In furtherance of that support I consent to reasonable access to those doing an initial feasibility study for such restoration work.

Sincerely,

Jean M Cline

JEAN M. CLINE
Print Name

24189 RANCHERO RD
Address

CLEMENTS, CA 95227

May 7, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, suite 1155
Sacramento, CA 95814

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Sincerely,



Carol Atkinson

Print Name

22344 Buena Vista Rd.

Address

Chenut

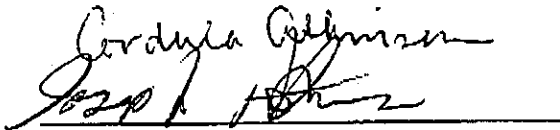
May 7, 2000

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Sacramento, CA 95814

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Sincerely,



Cordula Atkinson

Joseph Atkinson

Print Name

22565 Buena Vista Rd.
Address

Clements, CA 95227

Environmental Compliance Checklist

All applicants must fill out this Environmental Compliance Checklist. Applications must contain answers to the following questions to be responsive and to be considered for funding. Failure to answer these questions and include them with the application will result in the application being considered nonresponsive and not considered for funding.

1. Do any of the actions included in the proposal require compliance with either the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), or both?

YES

 X
NO

2. If you answered yes to # 1, identify the lead governmental agency for CEQA/NEPA compliance.

 N/A
Lead Agency

3. If you answered no to # 1, explain why CEQA/NEPA compliance is not required for the actions in the proposal.
The Murphy Creek project is a planning project that is intended to lead to full scale implementation, but will not require any current changes in land use or physical alterations.

4. If CEQA/NEPA compliance is required, describe how the project will comply with either or both of these laws. Describe where the project is in the compliance process and the expected date of completion.

N/A

5. Will the applicant require access across public or private property that the applicant does not own to accomplish the activities in the proposal?

 X
YES

NO

If yes, the applicant must attach written permission for access from the relevant property owner(s). Failure to include written permission for access may result in disqualification of the proposal during the review process. Research and monitoring field projects for which specific field locations have not been identified will be required to provide access needs and permission for access with 30 days of notification of approval.

See attached permission letters.

6. Please indicate what permits or other approvals may be required for the activities contained in your proposal. Check all boxes that apply.

LOCAL

Conditional use permit	_____
Variance	_____
Subdivision Map Act approval	_____
Grading permit	_____
General plan amendment	_____
Specific plan approval	_____
Rezone	_____
Williamson Act Contract	_____
cancellation	_____
Other _____	
(please specify)	
None required	<u>X</u>

STATE

CESA Compliance	_____	(CDFG)
Streambed alteration permit	_____	(CDFG)
CWA § 401 certification	_____	(RWQCB)
Coastal development permit	_____	(Coastal Commission/BCDC)
Reclamation Board approval	_____	
Notification	_____	(DPC, BCDC)
Other _____		
(please specify)		
None required	<u>X</u>	

FEDERAL

ESA Consultation	_____	(USFWS)
Rivers & Harbors Act permit	_____	(ACOE)
CWA § 404 permit	_____	(ACOE)
Other _____		
(please specify)		
None required	<u>X</u>	

DPC = Delta Protection Commission
 CWA = Clean Water Act
 CESA = California Endangered Species Act
 USFWS = U.S. Fish and Wildlife Service
 ACOE = U.S. Army Corps of Engineers

ESA = Endangered Species Act
 CDFG = California Department of Fish and Game
 RWQCB = Regional Water Quality Control Board
 BCDC = Bay Conservation and Development Comm.

Land Use Checklist

All applicants must fill out this Land Use Checklist for their proposal. Applications must contain answers to the following questions to be responsive and to be considered for funding. Failure to answer these questions and include them with the application will result in the application being considered nonresponsive and not considered for funding.

1. Do the actions in the proposal involve physical changes to the land (i.e. grading, planting vegetation, or breaching levees) or restrictions in land use (i.e. conservation easement or placement of land in a wildlife refuge)?

YES

X
NO

2. If NO to # 1, explain what type of actions are involved in the proposal (i.e., research only, planning only).
This project is a planning effort which is intended to lead to full scale restoration.

3. If YES to # 1, what is the proposed land use change or restriction under the proposal?
N/A

4. If YES to # 1, is the land currently under a Williamson Act contract?

N/A
YES

NO

5. If YES to # 1, answer the following:

Current land use

N/A

Current zoning

N/A

Current general plan designation

N/A

6. If YES to #1, is the land classified as Prime Farmland, Farmland of Statewide Importance or Unique Farmland on the Department of Conservation Important Farmland Maps?

N/A
YES

NO

DON'T KNOW

7. If YES to # 1, how many acres of land will be subject to physical change or land use restrictions under the proposal?
N/A

8. If YES to # 1, is the property currently being commercially farmed or grazed?

N/A
YES

NO

9. If YES to #8, what are

the number of employees/acre N/A

the total number of employees N/A

10. Will the applicant acquire any interest in land under the proposal (fee title or a conservation easement)?

YES

~~X~~
NO

11. What entity/organization will hold the interest? N/A

12. If YES to # 10, answer the following:

Total number of acres to be acquired under proposal

N/A

Number of acres to be acquired in fee

Number of acres to be subject to conservation easement

13. For all proposals involving physical changes to the land or restriction in land use, describe what entity or organization will:

manage the property

N/A

provide operations and maintenance services

N/A

conduct monitoring

N/A

14. For land acquisitions (fee title or easements), will existing water rights also be acquired?

N/A
YES

NO

15. Does the applicant propose any modifications to the water right or change in the delivery of the water?

YES

X
NO

16. If YES to # 15, describe N/A

NONDISCRIMINATION COMPLIANCE STATEMENT

STD 19 (REV. 3-95) FMC

COMPANY NAME

American Land Conservancy

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

Harriet Burgess

DATE EXECUTED

5/12/00

EXECUTED IN THE COUNTY OF

San Francisco

PROSPECTIVE CONTRACTOR'S SIGNATURE

Leslie Hunt King

PROSPECTIVE CONTRACTOR'S TITLE

President

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

American Land Conservancy

APPLICATION FOR FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: <input type="checkbox"/> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED 5/12/00	Applicant Identifier
		3. DATE RECEIVED BY STATE 5/15/00	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION	
Legal Name: <u>American Land Conservancy</u> Address (give city, county, State, and zip code): <u>388 Sutter Street, Ste. 810</u> <u>San Francisco, CA 94109</u>	Organizational Unit: Name and telephone number of person to be contacted on matters involving this application (give area code) <u>Harriet Burgess</u>

6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>	7. TYPE OF APPLICANT: (enter appropriate letter in box) <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div style="width: 48%;"> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____ </div> </div>
---	---

8. TYPE OF APPLICATION: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> If Revision, enter appropriate letter(s) in box(es) <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Award <input type="checkbox"/> Decrease Duration </div> <div style="width: 30%;"> <input type="checkbox"/> Decrease Award Other (specify): _____ </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Duration </div> </div>	9. NAME OF FEDERAL AGENCY: <u>NA</u>
--	---

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="text-align: center; margin-top: 10px;"> </div> TITLE: 12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): <u>Amador & San Joaquin Counties</u>	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: <u>Murphy Creek Watershed Protection and Restoration Plan</u>
--	--

13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF: <u>District II</u>	b. Project <u>Protection and Restoration Plan</u>
Start Date: _____ Ending Date: _____	a. Applicant <u>American Land Conservancy</u>	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

15. ESTIMATED FUNDING: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:20%;">\$</td> <td style="width:20%; text-align: right;">663,150</td> <td style="width:20%; text-align: right;">.00</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td>663,150</td> <td>.00</td> </tr> </table>	a. Federal	\$	663,150	.00	b. Applicant	\$.00	c. State	\$.00	d. Local	\$.00	e. Other	\$.00	f. Program Income	\$.00	g. TOTAL	\$	663,150	.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No
a. Federal	\$	663,150	.00																										
b. Applicant	\$.00																										
c. State	\$.00																										
d. Local	\$.00																										
e. Other	\$.00																										
f. Program Income	\$.00																										
g. TOTAL	\$	663,150	.00																										

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		
a. Name of Authorized Representative <u>Harriet Burgess</u>	b. Title <u>President</u>	c. Telephone Number <u>415 749 3010</u>
d. Signature of Authorized Representative <u>Harriet Burgess, Secretary of Board</u>		e. Date Signed <u>5-12-00</u>

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|-------|---|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State, counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable). | 13. | Self-explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Enter the appropriate letter in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Check appropriate box and enter appropriate letter(s) in the space(s) provided:

-- "New" means a new assistance award.

-- "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.

-- "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

BUDGET INFORMATION - Non-Construction Programs

SECTION A: BUDGET SUMMARY												
Grant Program Function or activity	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget								
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)						
Task 1 - Meet with land owners to define potential for easements and restoration.				\$ 65,115		\$ 65,115						
Task 2 - Develop draft conservation easements.				\$ 86,466		\$ 86,466						
Task 3 - Assess land values				\$ 130,419		\$ 130,419						
Task 4 - Negotiate draft purchase agreements.				\$ 42,839		\$ 42,839						
Task 5 - Confirm final commitments to easements.				\$ 58,773		\$ 58,773						
Task 6 - Map existing conditions and reconnaissance level baseline surveys for riparian and fisheries restoration.				\$ 88,311		\$ 88,311						
Task 7 - Develop improvement plan to remove dams.				\$ 61,030		\$ 61,030						
Task 8 - Develop riparian corridor revegetation/recovery plan.				\$ 17,853		\$ 17,853						
Task 9 - Develop alternative water supply plans and details.				\$ 71,388		\$ 71,388						
Task 10 - Prepare Implementation plan and budget.				\$ 40,955		\$ 40,955						
Totals				\$ 663,150		\$ 663,150						
SECTION B: BUDGET CATEGORIES												
GRANT PROGRAM, FUNCTION OR ACTIVITY												
		Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Task 9	Task 10	Total
6) Object Class Categories												
a. Direct Labor Cost		\$ 19,000	\$ 13,998	\$ 5,042	\$ 8,108	\$ 5,788	\$ 39,480	\$ 13,765	\$ 7,679	\$ 32,810	\$ 18,096	\$ 163,766
b. Benefits		\$ 4,860	\$ 3,079	\$ 1,163	\$ 2,082	\$ 1,386	\$ 11,844	\$ 4,130	\$ 2,304	\$ 9,843	\$ 5,429	\$ 46,120
c. Travel		\$ 2,320	\$ 4,150	\$ 2,000	\$ 4,166	\$ 1,120	\$ 320	\$ 120	\$ 180	\$ 230	\$ 120	\$ 14,726
d. Supplies		\$ 120	\$ 32	\$ 50	\$ 50	\$ 32	\$ 1,260	\$ 75	\$ 150	\$ 350	\$ 600	\$ 2,719
f. Contractual		\$ 25,000	\$ 50,000	\$ 100,000	\$ 20,000	\$ 40,000	\$ 8,000	\$ 24,000	\$ 2,000	\$ 6,000	\$ 4,000	\$ 279,000
g. Total Direct Charges (sum of 6a-6f)		\$ 51,300	\$ 71,259	\$ 108,255	\$ 34,406	\$ 48,326	\$ 60,904	\$ 42,090	\$ 12,313	\$ 49,233	\$ 28,245	\$ 506,331
h. Indirect Charges		\$ 13,815	\$ 15,207	\$ 22,165	\$ 8,433	\$ 10,447	\$ 27,407	\$ 18,940	\$ 5,541	\$ 22,155	\$ 12,710	\$ 156,819
i. TOTALS (sum of 6h and 6i)		\$ 65,115	\$ 86,466	\$ 130,419	\$ 42,839	\$ 58,773	\$ 88,311	\$ 61,030	\$ 17,853	\$ 71,388	\$ 40,955	\$ 663,150

7) Program Income		0	SECTION C - NON-FEDERAL RESOURCES									
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS								
8) East Bay Municipal Utility Company - Inkind (see attached)			\$ 44,000	\$ 44,000	\$ 44,000							
9) Woodbridge River Company - Inkind (see attached)			\$ 5,000	\$ 5,000	\$ 5,000							
12) TOTAL (sum of lines 8-11)	\$ -	\$ -	\$ 49,000	\$ 49,000	\$ 49,000							
SECTION D - FORECASTED CASH NEEDS												
Total for 1st year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter								
\$ 663,150	\$ 99,473	\$ 265,260	\$ 265,260	\$ 33,157								
13) Federal (2001)												
14) Non-Federal												
15) TOTAL (sum of lines 13 and 14) (2001)	\$ 663,150	\$ 99,473	\$ 265,260	\$ 265,260	\$ 33,157							
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT												
FUTURE FUNDING PERIODS (YEARS)												
(a) Grant Program	(b) First	(c) Second	(d) Third	(e) Fourth								
16)												
17) N/A												
18)												
19)												
20) TOTAL (sum of lines 16-19)	\$ -	\$ -	\$ -	\$ -	\$ -							
SECTION F - OTHER INFORMATION												
21) Direct Charges:	N/A	23) Indirect Charges:										
23) Remarks:	N/A											

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

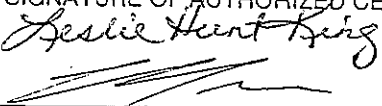
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Secretary of Board Vice President of Finance	
APPLICANT ORGANIZATION American Land Conservancy		DATE SUBMITTED 5/15/00	

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT, SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Leslie Hunt King

Chris J. Hile

TYPED NAME AND TITLE

Secretary of Board

Vice President of Finance

DATE *5-12-00*

5-12-00

Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used; use this form for certification and sign; or use Department of the Interior Form 1954 (DI-1954). (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12.)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters -
Primary Covered Transactions**

CHECK ☐ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
-

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK ☐ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

1388 Sutter # 810
San Francisco, San Francisco, CA
94109

Check ☐ if there are workplaces on file that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

CALIFORNIA CATTLEMEN'S ASSOCIATION

1221 H STREET • SACRAMENTO, CALIFORNIA • 95814-1910

SERVING THE CATTLE
INDUSTRY SINCE 1917



PHONE: (916) 444-0845
FAX: (916) 444-2194
www.calcattlemen.org

May 15, 2000

Cal Fed Bay-Delta Program Office
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Dear Grantors:

On behalf of the California Cattlemen's Association I am writing to endorse the funding request for the Murphy Creek Watershed Project. Murphy Creek and the associated watershed lie in San Joaquin and Amador Counties. It drains directly into the Mokelumne River just below Comanche Dam.

The landowners, many of whom are cattlemen and women, in the watershed have organized themselves and, with the cooperation of East Bay Municipal Utilities District, USDA Natural Resource Conservation Service and the California Fish and Game and others, have agreed to restore the creek's riparian habitat. They believe that the salmon runs that were common until the early 1980's can be returned and that is the focus of this cooperative project.

The Murphy Creek Watershed project is definitely the type of local-based, cooperatively driven conservation effort that needs the financial support of CalFed. We strongly encourage you to grant funding to this valuable and worthy project.

Thank you for your consideration in this matter. If you have any questions, please feel free to contact me at 916-444-0845.

Sincerely,

John L. Braly,
Executive Vice President

\\CCOFS\SYB\COMMON\MEMBERS\Murphy Creek.doc

JERRY HEMSTED
PRESIDENT
COTTONWOOD

ROBERT FROST
FIRST VICE PRESIDENT
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CALIFORNIA RANGELAND TRUST

May 15, 2000

CalFed Bay-Delta Program
1416 9th St., Ste. 1155
Sacramento, CA 95814

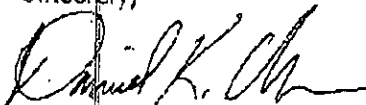
To Whom It May Concern:

The California Rangeland Trust supports the funding request recently submitted for the Murphy Creek Watershed Project. This watershed is situated in San Joaquin and Amador Counties and drains into the Mokelumne River directly below Comanche Dam.

With the cooperation of East Bay Municipal Utility District, the U.S. Department of Agriculture Natural Resource Conservation Service and the California Department of Fish and Game, among others, the landowners in the Murphy Creek watershed have organized a watershed group. Their goal is to restore the creek's riparian habitat and to support the revitalization of the salmon runs that were common in Murphy Creek until the early 1980's.

The California Rangeland Trust supports locally based, cooperatively driven conservation efforts like the Murphy Creek Watershed Project. We urge the CalFed Bay-Delta to provide financial support for this project.

Sincerely,



Daniel K. Macon
Executive Director

Cc: Bev Sparrowk

Office
California Cattlemen's Association
1221 H Street
Sacramento, CA 95814-1910
Phone: 916/444-2096 Fax: 916/444-2194

MAY. -15' 00 (MON) 10:30 U. S. C. A. NRCS

TEL: 1 209 727 5923

P. 001



United States
Department of
Agriculture

Natural
Resources
Conservation
Service

P.O. Box 68; 21001 N. Elliott Rd.
Lockeford, CA 95237
(209) 727-3129 ext. 13
FAX: (209) 727-5923

Cal Fed Bay-Delta Program Office
1416 Ninth Street
Suite 1155
Sacramento, CA, 95851

Greetings:

This letter is in support of the request for funding of the Murphy Creek Watershed Project. Murphy Creek is a tributary to the Mokelumne River, which provides habitat for Salmon and Steelhead spawning as well as other species.

There is tremendous landowner support for this project as well as support from various agencies. The common interests that we all have are the enhancement of water quality and quantity. Furthermore, the enhancement and preservation of both aquatic and riparian species can be accomplished while preserving agricultural areas.

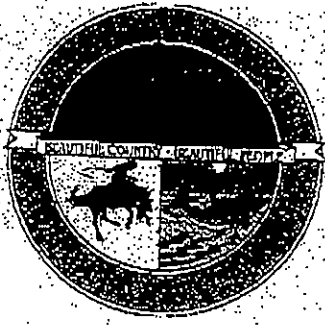
As the State Plant Material Specialists / Agronomist for NRCS in California I believe that Murphy Creek is the type of local based, landowner driven conservation project that can then be used as a demonstration / restoration for the rest of the state. This is an excellent project that if funded would benefit all.

Thanks,

Tish Espinosa
Plant Resource Specialists / Agronomist

The Natural Resources Conservation Service
is an agency of the
United States Department of Agriculture

AN EQUAL OPPORTUNITY EMPLOYER

***Clements-Lockeford Chamber of Commerce***

18980 N. Highway 88, Suite A
(Foothill Shopping Center)
Lockeford, CA 95237-0524
Phone (209) 727-3142
Fax (209) 727-3365

May 15, 2000

CALFED Bay-Delta Program Office
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

To Whom It May Concern:

The Clements/Lockeford Chamber of Commerce supports the restoration and preservation of Murphy Creek as a project that will enhance wildlife habitat and water quality and quantity. This effort will benefit the entire community.

The project will also serve as an example of what can be accomplished for the good of the environment by private citizens cooperating to achieve a common goal.

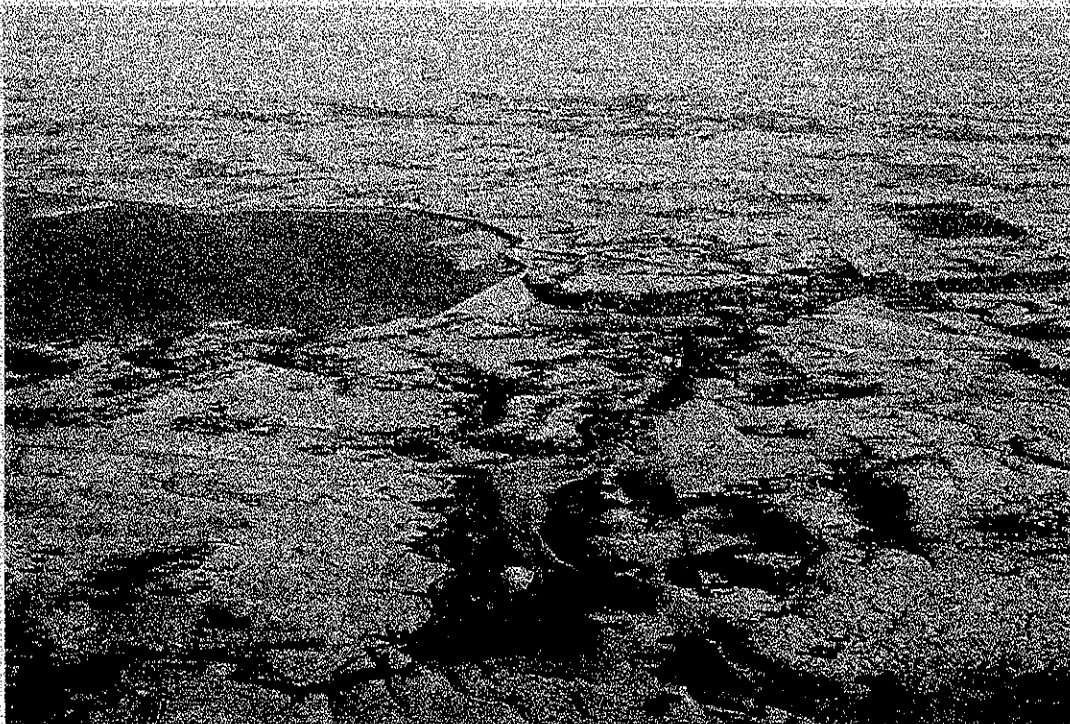
Because of the commitment demonstrated by the property owners we feel the Murphy Creek project will be successful and urge you to support it with funding.

Sincerely,

Manuel Arevalo

MURPHY CREEK MISSION STATEMENT

THE MURPHY CREEK PROPERTY OWNERS AND PARTNERS HAVE JOINED TOGETHER TO WORK TOWARD THE RESTORATION OF MURPHY CREEK IN ORDER TO ENHANCE WATER QUALITY AND QUANTITY AND HABITAT FOR AQUATIC AND RIPARIAN WILDLIFE AND TO PRESERVE OPEN SPACE WHILE ENSURING THE CONTINUING PURSUIT OF AGRICULTURAL ENDEAVORS AND PROTECTING THE HISTORIC RURAL FLAVOR OF THE AREA



Murphy Creek Watershed

The property owners in the Murphy Creek watershed and along Murphy Creek in particular are concerned about the condition of the creek and its many small tributaries. As recently as the early 1980s salmon runs in the creek were common, but in recent years only a small number of salmon have been observed. The property owners hope that the creek can be restored to a condition that will once again support spawning salmon, steelhead, and an abundance of other aquatic and riparian life that historically occurred in the drainage.

The condition of the creek itself is of primary concern. The property owners along Murphy Creek would like to insure that the quantity and quality of water in the creek throughout the year are maintained at levels that will allow natural aquatic life to flourish. They would like to see the creek channel maintained to allow upstream and downstream passage for spawning fish and fry, and perhaps fish ladders installed at key dams.

The riparian zone along the creek includes reaches with abundant valley and live oak, buckeye, elderberry, sedges, and other native plants. It provides habitat for deer, coyotes, raccoon, an occasional river otter and other small mammals as well as many varieties of ducks and other waterfowl, raptors, amphibians, and crustaceans. This zone has been invaded by many exotic species, including nonnative blackberries and grasses. The property owners would like to see the riparian zone restored to its historically natural condition to the degree practical.

Eventually, the property owners would like to see a conservation easement in place that will insure the protection and preservation of Murphy Creek.



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Help

Ranchers have plan to save salmon

Nicole Casal/News-Sentinel staff writer

Murphy Creek, the last freely flowing tributary of the lower Mokelumne River, is a shallow ribbon a few miles long northeast of Lodi. It's surrounded by vineyards and humps of hillside where cattle graze. The deepest pools in the creek are five feet deep.

In the 1970s, salmon used to spawn in its cool waters. They don't spawn there anymore. They can navigate their way to the Mokelumne River from Alaska, but in Murphy Creek, small cattle dams and invading Himalayan blackberry bushes became obstacles the magical fish could not overcome. Now, some ranchers near Clements want to lure the salmon back. Around 10 landowners are planning to restore the creek. They want to get rid of the berries, plant some more trees, and demolish the dams. There would probably be tax deductions in return, and their property would be preserved in its pristine form. The landowners are being assisted by Joe Merz, a fishery biologist, and other scientists with the East Bay Municipal Utility District.

"We're trying real hard," Merz said. "It's not just a dream. I think we can get it done."



Photo by Darren Antonovich/News-Sentinel
Bev Sparrowk is organizing an effort to restore Murphy Creek, the last freely flowing Mokelumne River tributary near Camanche Reservoir.

The flow, flora and fauna of Murphy Creek have evolved with the people who live on its banks.

Sixty years ago, it was a seasonal creek, and salmon occasionally swam upstream in high water years.

Just 200 yards downstream from East Bay MUD's Camanche Dam, the creek became a year-round stream after the dam was built in the 1960s. Water started to seep through the higher ground of the reservoir and kept the creek flowing.

Salmon started spawning more regularly in the stream in the 1970s, because of the higher water flow. In late August and the beginning of September, fat adults would shimmy up Murphy Creek from the ocean. They would spawn amid the loose gravel in the riverbeds, protect their eggs for a few weeks, then die. Their bodies would decay, nourishing the river, the wildlife and even the nearby soil. In six to eight weeks, the babies would be born. They would leave the river in shifts, making their way to the ocean, where they'd grow for three or four years. Then they'd come home to Murphy Creek, by way of the Mokelumne.

Their life cycle is to a certain extent an enigma, even to fishery biologists. Biologists do understand the importance of salmon to the Central Valley ecosystem, though. The fish tend to indicate a healthy environment. But experts estimate that the current salmon and steelhead population in California is down 80 percent since the 1950s, according to Friends of the River, a California environmental organization. They attribute that largely to the 1,400 dams in the state.

Today, an average of 3,500 fall run adult Chinook salmon run up the Mokelumne River every year, Merz said. He said experts have only become aware of the problems dams can do nature and salmon since the 1970s. Today, with biologists like Merz working for dam-owning utilities like East Bay MUD, those problems have been lessened with hatcheries just downstream from dams. The hatcheries provide an artificial spawning environment. But they aren't ideal.

"Hatcheries aren't a panacea for all of the impacts people have done to streams," Merz said. "They do good things for fish populations, but they're not a cure-all."

And projects like this one are another way to help the fish. Salmon first appeared in the creek in the 1970s, perhaps diverted because of the wall of Camanche Dam.

As ranchers built small dams on Murphy Creek for their cattle to drink from, and the blackberries invaded, the salmon started to disappear.

Jack and Bev Sparrowk, cattle ranchers on almost 500 acres of land for 23 years, missed the fish. In talking to East Bay MUD in February, they realized there was a way to bring them back and protect their own land. So they got their neighbors together, and they are looking at how they can make this restoration work. They're searching for grant money, and learning about the creek.

Last week, landowners and East Bay MUD got together for a barbecue at the Sparrowks to talk about their options.

In the next few weeks, East Bay MUD biologists will map the creek and survey it to see what animals live in and around the banks. Removing the blackberry bushes, which were probably brought by birds, will probably be the first step in the process. Merz explained that they'll have to be replaced by something else, to make sure they don't come back. He suggested willows, oaks or cottonwoods. Some of the neighbors are a bit leery. Joe and Ann Mehrten own 1,100 acres west of the Sparrowks. They run cattle on the property. And while they're enthusiastic about rejuvenating the habitat and preserving the beauty of their property, they want to make sure the government stays out of the process as much as possible. "Whatever the government funds, it has a right to control," Ann Mehrten said. "We're concerned about the issue and making sure we preserve our property rights, which are a basic human right," she continued. "A lot of times they get lost in this."

Joe Mehrten has lived along the river all his life. He doesn't see the project as a quite a "restoration."

"I used to go up and down this river as a kid," Joe Mehrten said. "There were no salmon spawning in it. If you want to create an artificial spawning habitat, you're really not restoring, you're improving."

Whatever the project is called, the Sparrowks and their neighbors are joining the increasing number of California citizens who are taking it upon themselves to protect wetland environments.

As of last May, 36,894 acres had been restored and protected permanently by the U.S. Department of Agriculture's Natural Resources Conservation Service's Wetlands Reserve Program. That program pays landowners to restore wetlands on their property. The landowner sells what's called a "conservation easement" to the NRCS, but still owns the land. The NRCS pays for most of the conservation costs. Bowman Preserve, south of Fresno, is a product of this. It is 900 acres of restored wetland on what used to be cotton, alfalfa and grain fields. The wetland includes a 70-acre brood pond, one of the largest in the state built specifically for baby ducks. In addition, the government, biologists and private citizens are making plans to remove 50 large and small dams across California, specifically to improve salmon population. In the northern Central Valley, two dams have already been removed on Butte Creek. Neither the Sparrowks nor the biologists know yet what this project will cost. Nor do they know how long it will take. Nonetheless, they are determined to make it happen. "We want to see the creek be what it has the potential to be," Bev Sparrowks said.

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May 3, 2000

Murphy Creek Property Owners
P. O. Box 657
Clements, CA 95227

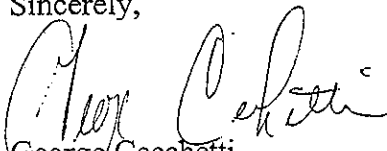
Dear Murphy Creek Property Owners,

The Woodbridge River Company is pleased to contribute \$5,000.00 toward your effort to restore and enhance fish and wildlife habitat in and along Murphy Creek. We acknowledge the importance of restoring critical spawning habitat for salmon and wish you success.

The restoration and protection of riparian areas along the creek will help ensure the conservation of waterfowl and other wildlife in the area.

We applaud your efforts in this undertaking. Please let us know if there is anything more we can do in the way of support as you progress with the project.

Sincerely,



George Cecchetti
Woodbridge River Company

